

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-21 are currently pending. Claims 1, 3-5, 20 and 21 are independent. Claims 1, 3-5, 20 and 21 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at page 53, line 10 to page 54, line 10 and page 78, line 21 to page 79, line 9. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1 and 3-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,636,243 B1 to MacPhail.

Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over MacPhail in view of U.S. Patent No. 6,118,427 to Buxton et al.

Claim 1 recites, *inter alia*:

“An information processing apparatus...  
wherein a speed of selection of said one or more thumbnails determines a speed at which said one or more thumbnails are displayed. (emphasis added)

As understood by Applicant, U.S. Patent No. 6,636,243 B1 to MacPhail relates to a method and system for displaying the status of variables, or indicators, on display devices, and for providing a history indicating changes in the status which they have occurred. In particular, in the method and system icons representing critical indicators are displayed in superposition with a reference shape.

As understood by Applicant, U.S. Patent No. 6,118,427 to Buxton et al. relates to a system and method for providing a graphical user interface (GUI) for maximized user performance and system efficiency. The GUI utilizes variable-transparency to merge images (or layers) of objects onto a graphical display. A critical factor in the usability of variably transparent GUI is the effect of visual interference on user performance. That is, the interaction between superimposed objects of varying types measurably alters performance to unacceptable levels in terms of user selection error rates and response times.

Applicants submit that MacPhail and Buxton, taken alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of a correlation between a speed of selection of said one or more thumbnails and a speed at which said one or more thumbnails are displayed, as recited in claim 1. Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claims 3-5, 20 and 21 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 3-5, 20 and 21 are patentable.

### **III. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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